A Collect

App. F. IX-4

Previous References

1935. (Legis)

File No. 59-35

Serial Nos. 1

Later References

(45)

General and Revenue Secretariat.

Serial Nos. one

Proceedings

manuscript.

~~Part B~~ for January

SUBJECT.

Amendment to the Village Panchayat Regulation of 26.

Govt Memo 1478 dt 10-1-36 from the Compiler

orders on publication of the Regn.

further to amend the Village

Panchayat Regn. as Ordinance IX of 1935

M Gurunathan

7-1-36

4629

Control of Construction of land drains near cities

General and Revenue Secretariat.

U.P. File No. 52 of 1934

[illegible]

1	Letter No C 3644/34-35 dated [illegible] from the Revenue Secy to Govt [illegible] Govt land drains [illegible] of cities [illegible] under sec 2 of the U.P. Regulation [illegible] sec 63 of Land Revenue Code [illegible] sections [illegible] and Cantonments [illegible] Municipalities [illegible] Towns by the Civil Authorities under the U.P. Regulation or [illegible] similar to those provided in [illegible] Towns & various Municipalities [illegible] Cantonments. The proposal of the Revenue Secy is to amend the U.P. Regulation making provision [illegible] Control & Construction of land drains [illegible] similar to those provided in the several Municipalities Regulation Refer for orders Dated [illegible] There are two files about [illegible] margin. Please discuss [illegible] me

NOTE—Contn. Sheet.

2. 2. 4629/L&L

File No. 4629/J of 193 .

General and Revenue Secretariat

4 This question might be taken up along with the Dist Boards regulation amendment etc. when the U.P. regulation may also have the amended section ready

19.6.35

5 This question may be worked up on its merits & if found desirable the necessary draft may be put up for consideration.

J 22/6

24.6.

25/6

Given to me by Mr. Srivastava on 9/7/35

6 Subject for favour of instructions as to the line of action that should be taken

12/7/35

7 Please put up the file relating to the construction of bunds in a village Panchayat bordering the C&R Station limits — which was brought to notice by Supdt. Rly Police.

9-P. 34-34-35

8 Please see file VP 34-34-35 1, 2 & 3 put up below.-

12/7/35

9 The necessity for the provision proposed will be clear from the file placed below relating

General and Revenue Secretariat.

Leg File No. 59 of 193 5 — [App. F. III-2

to the Construction of insanitary houses in the village of Devarajeevanahalli bordering on the C&M Station; please see letter dy 3.12.34 from the Secy to the Resident and the Govt's reply thereto dy 18.1.35.

2. Though by a strict enforcement of the provisions of section 29 of the Village Panchayat Regn and the rules thereunder the construction of such buildings can be controlled by means of licenses issued for the purpose, there is no provision in the Regulation enabling the prohibition of the construction of buildings in any area in a village, should such a step become necessary on sanitary or other grounds. Provision has been made in all the three Municipal Regulations reserving power to Govt to prohibit by notification published in the gazette the erection of a building within a specified area in a Municipality except with the permission of Govt granted in that behalf.

3. The Rev Com has stated that the provisions of Sec 63 of the Land Revenue Code are insufficient for the purpose as they cannot be enforced in the case of Inam villages.

4. For the above reasons it seems necessary to introduce a provision in the V.P. Regn as proposed by the Revenue. A draft Bill with the Statement of Objects and Reasons may be put up for consideration.

V.P.L. 20/7

NOTE—Contn. Sheet.

Amendment of the V. P. Regulation 4629

4

556/935

V.P. File No. 582 4629/5 of 1934-35 General and Revenue Secretariat

3 A draft bill based on the analogy of similar provisions in the Local Municipal Regulations is prepared and put up, along with a statement of objects & reasons. It may be referred to the Law section for scrutiny.

619
29.7.35

14 It is also for consideration if it may not be referred to the Revenue Commr. for opinion, if it would meet the requirements of the case and whether the power should be centralised in Govt.

For orders

27/7/35 MV 27/7 Dev Secy) Asst Secy 29/7

The law section may be consulted

28 Law

Lawson) MV 30/7

The proposed amendment is similar to that of Sec 116 of the City Mal. Regn. and deals with the power of Govt. to prohibit the erection of buildings in certain area without permission. Sec 29 of the V.P. Regn. seems to be comprehensive enough for consideration whether additional rules cannot be framed to achieve the objects aimed at.

TSD 1/8 Sec. 29 is of very limited scope. If what is desired is power

General and Revenue Secretariat.

File No. 59 of 193[illegible] [App. F[illegible]2

— to prohibit erection of buildings with[illegible] an area to be specified, & legislation[illegible] necessary on the lines suggested. The draft bill after it is scrutinised by the concerned Executive sections concerned may be sent for legal scrutiny

Asst Secy ✓ 88 ?
with compls

MMP 8/8

909
10/8/35

The Rev Cau may be consulted as suggested at A on the last page in regard to the drafting of the Draft Bill.

Dep't Secy)

Asst 10/8

12/8.

Ho No 32-35
Dy 12-8-35

Forwards with compliments and Spl Cl to the Revenue Commissioner in Mysore for favour of remarks.

By order
Asst Secy
for Secretary to Govt
Dep't Secy

C4344 Forks
Lee as

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE.
13 AUG. 1935

C4344/34-35
28 AUG 1935

Returned with compliments.

Although the main object of the bill is to regulate the construction of buildings in Panchayet areas adjoining important Cities and Towns, it is unnecessary to limit its application by an express restriction to that effect. It is quite possible that its provisions might have to be applied to Panchayet areas traversed by railway lines or important roads. I would therefore omit the words "adjacent to but not in[illegible]

L88
28/8/35

NOTE—Contn. Sheet.

6

656/35

4629

L8G

4628

VP File No. 5.9 of 193 4 P. 3

General and Revenue Secretariat

within the limits of ..... "applicable" in clause 1 of the bill.

L&G 28/8/35

Revenue Commissioner.

(S) 26/8/35

May we be referred again to the Law Secretariat as suggested in the last sentence of the Law Dept. note 25-8-35.

1298
29/8/35

Dept Secy) 29/8

Law Secy) 31/8

The bill as revised is all right and may be adopted

L.S. & Govt) 31/8

Dept. Secy) 31/8

Council Mally clause 11 of Council Schedule

Please speak time

1357/31/8/35

Secretariat

OFFICE OF THE SECOND MEMBER OF COUNCIL 10 SEPT. 1935 No. 1-3-2-8

I agree - The RC Regs may be accepted

12/9

Village Panchayat Regulation Amendment Bill

92 LA.28 7

General and Revenue Secretariat. File No. 52 of 1934-35 [App. F.III-2

This is Council matter

Devadoss) 13/9

Typed draft of bill

13.9

13/9

1619
13/9/35

Typed draft of bill - as settled

14/9/35

SECTION
1 SEP. 1935
REV. SECTT.

1268
18/9/35

18/9/35 Devadoss) 18/9

The introduction of a bill further to amend the Nilgiris V.P Regulation to take power to prohibit the erection of buildings in certain cases may be effected.

Draw and

18.9.

18-9-35

Council matter. May be disposed by Circulation.

Chief Secretary with draft

19.9.35.

20.9

Cs. 1935

NOTE—Contn. Sheet.

6

8

For Disposal by Circulation.

No. C. 72

dt 1935 56

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

Subject

Bill further to amend the Mysore Village Panchayet Regulation, 1926.

Circulated to the Members of Council.

By Order,

K. Chandrasekhar

20th September 1935. *Chief Secretary to Government.*

2345/23/9 **First Member of Council.** by 23/9

1857/20-9. **Second Member of Council.** For favour of Final Note.

Sd/- 28/9

1929/23/9 Second Member.

Final Note signed by the Member is put up.

S. N. put up.

Dewan)

2105

23/9

23/9

23/9

Final Note by the Second Member of Council.

Subject.— Bill further to amend the Mysore Village Panchayet Regulation.

There is at present no adequate provision either in the Village Panchayet Regulation, or the Land Revenue Code to regulate the construction of buildings in rural areas adjacent to the Municipal limits of cities and important towns. With a view to remedy this defect, it is considered desirable that Government should take power to prohibit or regulate the construction of buildings in such areas including Inam Villages and that a provision similar to the one contained in the Municipal Regulations should be embodied in the Village Panchayet Regulation also.

A Bill has accordingly been prepared, with a Statement of Objects and Reasons, and this has been approved by the Dewan and the First Member of Council. Gracious sanction of His Highness is now solicited to place it before the Representative Assembly and the Legislative Council.

MEMBER OF COUNCIL.

Bangalore,
24th September 1935.

Submitted to His Highness.

I submit herewith a Final Note by the Second *Member of Council* regarding the bill further to amend the Mysore Village Panchayet Regulation,

for His Highness' gracious approval.

Mirza M. Ismail
Dewan.
25-9-35

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Bill further to amend the Mysore Village Panchayet Regulation.

153

Order.

~~KRW~~
27/9/35

General and Revenue
Secretariat

12
72

SUBJECT:- Bill further to amend the Mysore Village Panchayat Regulation

---

Circulated to Members of Council for perusal of His Highness' orders ~~before~~/after issue of orders. (*) (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

Dev Department.

30.8.

FIRST MEMBER OF COUNCIL.

SECOND MEMBER OF COUNCIL.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

1116/397 NOTE.—Contn. sheet.

General and Revenue Secretariat | File No. 54 of 1935. | [App. F. III—2.

Serial No.

With a view to avoid delay in the matter being placed before the ensuing R.a the statement of Objects & Reasons has been adopted as the statement of General principles of the bill and three copies thereof have been sent to the R. a section yesterday.

In connection with the Amendment Bill to the District Boards Regulation, Secs 40 & 98 of the Regulation have been amended as recommended by the Committee, so as to include "village Panchayets" therein to provide for settlement of disputes between the Distt Boards & the village Panchayets.

As a consequential amendment sec 57 of the V. P. Regulation has to be amended and to give effect to this decision, the following clause may be inserted in the bill (V. P. amendment)

P.T.

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

Village Panchayat Regulation Amendment Bill

14

File No. 5 of 1934 — General and Revenue Secretariat

4629

Cl 2 In subsection (2) of Sec 57 of the said regulation, the words "or between a District Board and a Panchayat" shall be inserted after the word "District".

The following will, if approved, be added as the statement of principles involved.

In consequence of the proposed amendment of Sections 40 to 48 of the Dist. Bds. Regn. providing for the settlement of disputs between a Dist. Board & a village Panchayat, it is proposed to make a corresponding provision in Sec 57 of the village Panchayat Regn by introducing the words "or between a District Board & a Panchayat" after the word "District" in line 3 of subsection (2) of that Section.

The above will be included in the statement of principls about to be laid before Legislature with V. P. Regn Amendment Bill.

Govt 4/X/35

Govt Secs 1/10

Take action as proposed

1/10

Maybe adopted and submitted to Members for perusal

1/10

1163 1/10/35

Village Panchayat Regulation Amendment Bill 15

General and Revenue Secretariat | File No. 665/1 D.747. of 193 . | [App. F. III—2.

Serial No.

The above has been included in the Statement of General principles in proof and sent to the R. a. Sects.

The file is returned as directed above.

for
P/X/35 MM 4/10

For perusal

II Member

MM 4/10

SECOND MEMBER OF COUNCIL
2 OCT. 1935
NO 2882

HD MM 3.10

MM 3/10

Mr G RG

Please take down

[Octr 1935 Session]

The General principles of the Bill were placed before the R. a. & approved by them.

In order if the R. a Sects may be requested to put up an extract of the discussions on the file Ra for further action being taken

for
18.X.35 MM/18.X.35.

Yes, urgently

MM 3/10

R. a. Secs. w.c. for kindly putting up an extract of the discussions on the file

Reborrow

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

MM 29/10/35

A copy of discussions is placed on the file & the file is returned herewith

for L. S. G. & Rural Economy

MM 4-11-35

4/11

MM 4/11

U.F.P. Regn Amendment Bill

4629

2767 of 35
P.O.

VP File No. 4629 of 1935 General and Revenue Secretariat

The general principle of the Bill have been accepted and passed by a majority in the House. Hence the file may be transferred to the Legislative section for further necessary action.

vide discussion (last sentence) Marginal Note

This may proceed.

5/11/35 5/11

Dep Secy) 5/11

2785 5/11

5.11.

Protector Pr) 6/11

The Bill and Statement of Objects & Reasons are at Flag A. Some minor changes are indicated in pencil. Subsequent to the Bill may be published under Rule 8 of the L.C. Rules of business for introduction at the ensuing Delhi Session.

6/11 The Bill will be published under Rule 8

2nd Member) 6/11

SECOND MEETING OF THE
8 NOV. 1935
NO. 3537

Bill to amend the Village Panchayat Reg[n]

17

General and Revenue Secretariat | File No. 5-D 747 of 1935. | [App. F. III—2

Serial No.

Please see the additions suggested in the Bill and also the revised Draft of objects & reasons. Bill may be verified before further action is taken

DEWAN'S OFFICE
11 NOV. 1935
No. 2962

DEW[illegible] OF THE
SECOND MEMBER OF COUNCIL
9 NOV 1935
NO. 3555

MLL
9/11/35

draft and statement of objects & reasons are
The Bill is submitted after verification

2nd Member) 9/11

Bill may be published under
Rule 8

Dewan) MLL 9/11/35

Le 9/11

MJ
11-11-35

Published

Le 12/11/35

Typist Sir
Please type 4 copies
of Bill & C+R.
MJR
12/11/35

TYPING SECTION
12 NOV. 1935

Extra typed copies are put up. These will be sent to L.C. Office

Done 18/11

L.C. Office)

Le 18/11

WD 03594—GPB—30,000—13-7-35

NOTE.—Contn. Sheet.

OFFICE OF THE SECRETARY
12 NOV. 1935
REPRESENTATIVE.

Three copies taken and the file put up

Bill Bk.

19/11/35

18 2767

Bill to amend the Village Panchayat (Regulation

File No. D 747. of 193 | General and Revenue Secretariat

The Bill was published in the Gazette of 28th Nov and a copy is herewith laid for perusal.

The following motions are also suggested for being included in the agenda for the meeting of the Legislative Council.

(1) Motion that the Bill published under rule 8 of the Rules of business be read in Council.

(2) Motion that the rules of business be suspended and the Bill be taken into Consideration at once without reference to a Select Committee.

(3) Motion that the Bill be passed

4345

Over. The Second Member of Council seconding the Devt Secy's motion having regard to the simple nature of the Bill, the second & third motions have been suggested.

Done 2/12 Dev Sec)
2nd Member) 4/12

4/12

OFFICE OF THE SECRETARY
5 DEC 1935
REPRESENTATIVE ASSEMBLY
LEGISLATIVE COUNCIL

4/12/35

29/11/35

L.C. Office for issue of notice) Noted and put up for Prohn. B.T. a.c.) 6/12/35 5/12

Bill to amend the Mysore G.V.P. Regulation

General and Revenue Secretariat | File No. 49 of 1935. | [App. F. III—2

Serial No.

Subd

The medicines Bill was read in Council, considered and passed on 17.12.1935 D.F.N.

put up

D.F.N submitted

17/12

2nd Member) 20/12

F.N. Signed by Member.

23/12/35

Dewan) 23/12

DEWAN'S OFFICE
24 DEC. 1935
No. 4159

OFFICE OF THE SECOND MEMBER OF COUNCIL.
23 DEC. 1935
No. 4826

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—18-7-35

Final Note by the Second Member of Council.

Subject.—

Amendment of the Mysore Village Panchayet Regulation.

In October last the Representative Assembly approved of the general principles of a bill to amend the Mysore Village Panchayet Regulation. The object of the bill was (1) to empower Government to prohibit or regulate the construction of buildings in specified areas within the jurisdiction of a Panchayet and (2) to provide for the settlement of disputes between a District Board and a Village Panchayet following a corresponding provision already made by the amendment of the Village Panchayet Regulation.

The bill, after previous publication, was introduced in the Legislative Council at the meeting held on the 17th December 1935 and it was considered and passed by that body.

I solicit the gracious sanction of His Highness to promulgate the said bill as law.

N. M. Shamanna

MEMBER OF COUNCIL.

Bangalore,
23rd December 1935.

Submitted to His Highness.

I submit herewith a Final Note by the Second *Member of Council on the ~~subject of~~* Amendment of the Mysore Village Panchayet Regulation

for His Highness' gracious approval.

Mirza M. Ismail
Dewan.

Bangalore,
24th December 1935

22

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation as law of the Bill to amend the Mysore Village Panchayet Regulation.

C. Secy
M J
28-12-35

353

Order.

~~KRW~~
27/12/35

2767 b 35
P 353 23

General and Revenue
Secretariat

SUBJECT:- Promulgation as Law of the bill to amend the Mysore Village Panchayet Regulation

---

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

28-12-35
Chief Secretary to Government.

Through the Secretary to Government,

..... Department.

FIRST MEMBER OF COUNCIL. (on leave)

SECOND MEMBER OF COUNCIL. 29/12/35

Proper
30/12

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

5040
28/12

NOTE

IX-9-1935

41

General and Revenue Secretariat | Legs. File No. 59 of 193 5. | [App. F. III—2

Serial No.	
	Subd. under a despatch G.O. pronouncing this title instant Sd 31/12
1	G.O.No.1447 & 1471 covering the publication of Regn. IX of 1935

Received 13/2
20/2/36

NOTE.—Contn. Sheet.

WD 09591—GPB—30,000—13-7-35

MYSORE REPRESENTATIVE ASSEMBLY.

DASARA SESSION—OCTOBER 1935.

II

STATEMENT OF GOVERNMENT BUSINESS TO BE PLACED BEFORE THE REPRESENTATIVE ASSEMBLY.

VI. General Principles of the Bill to amend the Mysore Workmen's Compensation Regulation XIV of 1928.

The present Workmen's Compensation Regulation, No. XIV of 1928, was based on the British Indian Act of 1923. The Indian Act has since undergone three amendments in 1926, 1929 and 1933, respectively.

The Workmen's Compensation Act of 1923 was experimental in character and the amendments introduced in 1926 and 1929 were designed to remedy admitted defects and embody changes of a non-controversial character. Subsequently, the Royal Commission on Labour reviewed the entire position in the light of further evidence supplied to them and made a number of recommendations on the subject. The Government of India, in following them closely, have passed a further amending Act in 1933 embodying a large number of suggestions contained in the Report of the Royal Commission.

The changes in the law on the subject enacted in British India are found to be generally suitable to the conditions in Mysore and it is therefore proposed to undertake legislation on similar lines in Mysore by an amending Bill.

The more important changes proposed to be introduced are explained below.

The definition of the term " dependant " has been so recast as to divide them into two categories, placing in the first, those who are practically in all cases actually dependant, and in the second, those who may or may not be in that position. Certain additions have been made to the second category by the inclusion of illegitimate children and a widowed daughter-in-law.

The reference to manual labour in Section 2 (1) (*l*) has been omitted as there are no manual labourers in Mysore in receipt of more than Rs. 300 per mensem. The waiting period of ten days specified in proviso A of sub-section (1) to Section 3 of the Regulation is proposed to be reduced to seven days.

Under the existing exemption in proviso (*b*) of Section 3 (1) of the Regulation, the employer is not liable to pay compensation when the accident is due to specific misconduct on the part of the workman. It is now proposed to amend the Section so as to make the exception inapplicable in the case of fatal accidents, as it is extremely difficult for the dependants to rebut evidence that the accident was caused by the misconduct of the deceased, especially where the employer's defence is that the workman disobeyed a 'safety' rule.

The provision in Section 3 (4) of the Regulation limits the liability of the employer to pay compensation in the case of non-scheduled diseases to those solely and directly attributable to the specific injury. As this is unduly stringent and diseases rarely if ever can be regarded as due solely to any one cause, the words 'solely and " are proposed to be omitted in the above sub-section.

26

An important change proposed to be made is the revision of the scale of compensation payable as in schedule IV of the Regulation and the method of calculating the wages. The effect of these amendments is to enhance the compensation payable for death and for permanent disablement in the case of the more poorly paid workmen and those who are in receipt of higher wages. Compensation for temporary disablement would also be enhanced for most workmen. In place of 14 wage classes as at present, 17 have been substituted. The compensation payable in respect of a permanent total disablement of a minor is proposed to be fixed at Rs. 1,200. Both the minimum and the maximum amounts of compensation for permanent total disablement have been raised, as also the maximum half-monthly payment on account of temporary disablement.

In the Regulation as it stands, compensation is expressed in terms of monthly wages in most cases in Section 4. It is now proposed to make certain drafting changes in Section 4 (1) so that the fiction of "assumed wages" will disappear, and the actual amount of compensation payable can be arrived at in most cases by a reference to the revised schedule IV read with the instructions for the calculation of the wages in Section 5.

As it has been found that the limit of Rs. 50 fixed in Section 8 of the Regulation for payment towards funeral expenses is unnecessarily high and the payment of such amounts has led to abuses, it is proposed to reduce it to Rs. 25.

Under the present Regulation a dependant who finds that no compensation has been deposited on account of the death of a workman has first to approach the employer. It is now laid down that no payment can be made by an employer in respect of fatal accidents or to a woman or a person under legal disability, except by deposit with the Commissioner.

A provision has been added under Section 8 for the recovery of amounts of compensation obtained by fraud, false impersonation or other improper means.

The requirements of the existing Section 10 of the Regulation as regards notice are found to be too stringent. There are a number of cases in which no notice is necessary and the want of a notice should not be a bar to further proceedings in cases where the employer is proved to have had the knowledge of the accident. A further proviso to this effect has been added after sub-section (1) in Section 10.

Provision has been made for the maintenance by specified classes of employers of Notice Books on their premises readily accessible to workmen.

The Commissioner has been empowered to require from employers statements regarding fatal accidents, and power is taken for reports of fatal accidents being made to the Commissioner promptly.

With a view to remedy a defect in the law as it now stands, it has been now provided that a contractor may recover from a sub-contractor or any other person from whom the workmen could have recovered the compensation, the amounts advanced by such contractors on behalf of the sub-contractor.

Under the existing Regulation no penalties have been provided for failure to submit returns under Section 15. A new Section has been inserted as Section 17 A, to remedy this defect.

The present Regulation provides for the appointment of only one Commissioner for an area; it is now proposed to take power for the appointment of more than one Commissioner having jurisdiction over the same area and to regulate the work between them.

It is proposed to empower the Commissioner to call for a further deposit from the employer in the case of fatal accidents when the sum already deposited by the employer is found to be insufficient.

It is doubtful if under the present Regulation the Commissioner can, without statutory authority, withhold payment of compensation, pending the result of an appeal to the High Court. It is now proposed to give him this power.

With a view to have a more convenient system of distribution of compensation amounts payable under the Regulation, it is proposed to have a new section to provide for the transfer, to other parts of British India and Indian States, of the amounts of compensation awarded in Mysore in cases where the persons entitled to them have left Mysore and are residing in British India or an Indian State and for

the receipt and administration of amounts awarded outside Mysore in respect of persons who are residing or about to reside in Mysore.

The list of persons included in the definition of 'workmen' in Schedule II of the present Regulation has been so enlarged as to include persons employed in branches of industries which are both organised and hazardous. The British Indian Act has included an entirely new class of workmen, the workers on the plantations. But it is expected that the increase in the number of possible claims on account of this will by no means be proportionate to the increase in the number of workers brought under the Regulation.

To the occupational diseases included in Schedule III of the existing Regulation, it is proposed to add diseases mentioned in Schedule III of the British Indian Act XV of 1933 and in addition, silicosis or Miners' phthisis and cyanide rash with reference to special conditions obtaining in the Kolar Gold Field area.

VII. Statement of General Principles of the Bill further to amend the Mysore District Boards' Regulation, 1926.

The object of amending the Bill is to introduce necessary changes as regards utilization of the Railway Cess which have been accepted by the Government in the Government Order on the Motor Transport Committee's Report and to bring certain other provisions in conformity with the latest Legislation such as the City Municipalities Regulation of 1933. The subject was placed before the last Birthday Session of the Assembly but a representation was made by the members that a Committee might be appointed to consider these and other amendments arising out of the resolutions passed at the Conference of the Presidents and Vice-Presidents held in February 1935. The Committee which was accordingly appointed considered the proposals for amendment. The alterations and additions recommended by the Committee and accepted by Government are embodied in the draft bill.

The main changes sought to be introduced in the District Boards' Regulation by the Amending Bill are the following :—

Disqualifications of Voters and Candidates.

The disqualifications of voters are now prescribed in Section 10 of the Regulation. But this section is referred to in Section 26 as prescribing the disqualifications of candidates. These disqualifications are therefore proposed to be made applicable to candidates for election to the District Board as in the case of candidates for election to the City and Town Municipal Councils. There is no necessity to prescribe any general disqualifications for voters. Hence, Section 9 is proposed to be amended accordingly.

As regards the qualifications of candidates, there is no provision in the existing Section 11 which excludes persons who are professionally engaged or accept employment as legal practitioners on behalf of or against a District Board. Such exclusion exists in the case of candidates to the City and Town Municipal Councils and it is considered necessary to include this qualification in the section.

Term of Office of Presidents and Vice-Presidents.

Existing Section 23 of the Regulation does not indicate the date on which the term of Office of the President or Vice-President of the District Board commences. With a view to remove doubts on this point, the amendment proposed makes it clear that the term commences from the date of notification of their election or appointment.

There is no provision at present for the removal of Presidents or Vice-Presidents who are unable to pay their debts. Though a proposal to introduce this provision in the Regulation was vetoed by this House in October 1931, it is considered very necessary to make this provision, as it has since been prescribed in the case of the City and Town Municipal Councils in a modified form. Section 23 of the Regulation is accordingly proposed to be amended. The amendment also makes it clear that a person will be considered to be unable to pay his debts if he is under

arrest or imprisonment in execution of the decree of any court for the payment of money due by him.

Liabilities of Members of District Boards.

The members of District Boards are now personally liable for misapplication of any money or other property of the District Boards. It is necessary to make them liable also for loss or waste of the money or property of the District Boards caused by their negligence or misconduct. The necessary addition is accordingly made in the proviso to Section 37 of the Regulation.

Duties of District Boards.

Section 45 of the Regulation relating to the expenditure from the District Fund makes no distinction between the obligatory and discretionary duties of District Boards for which expenditure may be incurred. It is necessary to treat the less important duties as discretionary and also to amplify the latter as in Sections 58 to 60 of the City Municipalities Regulation. Section 45 is proposed to be amended accordingly, mentioning the duties of the Boards exhaustively with a view to remove the difficulties now felt in interpreting the section.

Establishment and Control of Ferries, Markets, etc.

Section 54 of the Regulation relating to the above has been found to be defective in many particulars and necessary amendments are proposed therein. Restrictions are also necessary as regards the opening of new public markets, and it is desirable to make provision in the Regulation for associating Village Panchayets with the management of local markets and to specifically exempt jatras, fairs, etc., held under the management of muzrai officers from the control of District Boards. In the case of proposals to vest the management in a Village Panchayet the District Board will be invariably consulted before according sanction. Section 54 is proposed to be amended accordingly.

Expenditure outside the area of District Boards.

Section 65 of the Regulation lays down that expenditure of the District Fund outside the area of the District Board can be incurred with the sanction of the Government, except in respect of certain charges for which such sanction is not required. This restriction is now proposed to be removed by amending Section 65, on the lines of Section 55 of the City Municipalities Regulation by specifying the items of expenditure which may be incurred by the Board irrespective of the Board's jurisdiction.

Utilisation of the Railway Cess for Construction of Roads and Bridges.

Under Section 68 of the Regulation as amended by Regulation II of 1932, the interest or other income derived from investment of the Railway Cess may, with the previous approval of Government, be utilised for works which may improve the means of communications in the District. The Motor Transport Committee have recommended that the Railway Cess may also be utilised similarly and Government have accepted the proposal in their order on the committee's report. It is accordingly proposed to further amend sub-section (4) of Section 68 of the Regulation so as to permit the utilisation of the Railway Cess or the interest or other income referred to above for the construction of new roads and bridges or for improvement works to existing roads in the District.

District Fund Accounts and Administration Reports.

A new chapter is proposed to be substituted for Sections 76 to 79 of the Regulation after the model of Chapter XI of the City Municipalities Regulation. The new provisions provide for surcharging, on the report of Government Auditor, the persons responsible for deficiency or loss caused by their negligence or misconduct. Provision is also made for the submission to Government of the annual administration reports of District Boards, as no such provision exists now in support of the present practice.

CO-ORDINATION BETWEEN DISTRICT BOARDS AND OTHER LOCAL BODIES.

Section 40 of the Regulation refers only to the joint committees of District Boards and Municipal Councils and Section 98 refers to the settlement of disputes between these local bodies. As a corollary to the inclusion of Village Panchayets in the new Section 54-A, it is necessary to include Village Panchayets in Sections 40 and 98 and the needful addition is made in the bill as recommended by the committee.

DELEGATION OF POWERS OF GOVERNMENT.

A new section is proposed to be introduced in the Regulation enabling Government to delegate all or any of its powers under the Regulation to any officer subordinate to it. Such an enabling provision is considered necessary.

The other changes proposed are minor ones, being mostly verbal amendments intended to make the meaning clear or consequential on the other amendments proposed.

VIII. Statement of General Principles of the Bill further to amend the Mysore Village Panchayets Regulation, 1926.

There is no adequate provision at present either in the Village Panchayet Regulation or in the Land Revenue Code to regulate the construction of buildings in rural areas adjacent to the municipal limits of cities and of important towns. Though under the provisions of Section 29 of the Village Panchayet Regulation, the control over the erection of buildings vests to some extent in the village panchayets, experience has shown that these bodies do not exercise much discrimination in the matter of issuing licenses for building houses. This has resulted in large extents of agricultural land being unauthorisedly appropriated for building purposes and buildings have been constructed thereon in the neighbourhood of cities and towns without much regard to sanitary and other requirements. Further, the provisions of Section 63 of the Land Revenue Code are insufficient for the purpose inasmuch as they cannot be enforced in the case of inam lands.

With a view to remedy the above defect, it is considered desirable that Government should take power to prohibit or regulate the construction of buildings in areas (including inam lands) adjoining cities and important towns but not included in the municipal limits and that a provision similar to that contained in Section 116 of the Mysore City Municipalities Regulation, 1933, Section 110 of the Mysore Town Municipalities Regulation, 1933, and Section 80 of the Mysore Minor Municipalities Regulation, 1933, should be embodied in the Village Panchayet Regulation also.

In consequence of the proposed amendment of Sections 40 and 98 of the Mysore District Boards Regulation providing for the settlement of disputes between a District Board and a Village Panchayet, it is proposed to make a corresponding provision in Section 57 of the Village Panchayet Regulation by introducing the words "between a District Board and a Panchayet" after the word "District" in line 3 of sub-section (2) of that section.

BANGALORE,
1st October 1935.

C. SUBRAHMANYA AIYAR,
Secretary, Mysore Representative Assembly.

WD 590—GPB—400—1-10-35.

A Bill further to amend the Mysore Village Panchayets Regulation, II of 1926.

....

Preamble.

Whereas it is expedient further to amend the Mysore Village Panchayets Regulation, 1926: It is hereby enacted as follows:-

(1) After section 29 of the said Regulation, the following new section shall be inserted, namely:-

Addition of new Section as Section 29A.
Power of Govt. to prohibit the erection of buildings in certain areas without permission.

29A- (1) Notwithstanding anything contained in section 29, the Government may, in the public interest and after consulting the Village Panchayet concerned through the Deputy Commissioner of the District, prohibit by notification published in the official Gazette, the erection of any building within a specified area in a Village Panchayet, except with permission granted by the Government or by such officer as may be empowered by the Government in this behalf.

Provided that such permission shall not be refused in the case of lands which have been set apart as building sites by the Government or the Village Panchayet prior to the publication of such notification.

(2) The grant of any permission under sub-section (1) may be subject to such conditions as may be fixed by the Government in each case or prescribed generally.

(3) Whoever erects any building contrary to the provisions of sub-section (1) or the conditions imposed under sub-section (2) shall, on conviction before a Magistrate, be punished with fine which may extend to two hundred rupees.

(4) The Government may demolish any building erected contrary to the provisions of sub-section (1) or in violation of the conditions imposed under sub-section (2).

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Amendment of Section 57(2)

2. In sub-section (2) of Section 57 of the said Regulation, the words "or between a District Board and a Panchayet" shall be inserted after the word "Districts

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STATEMENT OF OBJECTS AND REASONS.

Under Section 29 of the Village Panchaye Regulation the permission of the Village Panchayet is required to the erection of any building in the Panchayet area although such permission cannot be refused except for the reason of the site being unsuited on sanitary grounds. Experience has shown that the Panchayets do not enforce this provision strictly or even acquiece in its violation. One perceptible result of this has been that in Panchayet areas in the neighbourhood of cities and towns, near factories by the side of important roads and in other localities which require special care, houses are being constructed in a haphazard manner and without due regard to sanitary requirements. Th unchecked growth of such colonies is fraught with risk to the health of large sections of the population and impairs the value of improvements carried out at great expense.

It is therefore considered desirable that Government should take power to prohibit or regulate the construction of buildings in specified areas within the jurisdiction of a Panchayet and that a provision similar to that contained in Section 116 of the Mysore City Municipalities Regulation, 1933, Section 110 of the Mysore Town Municipalities Regulation, 1933, and Section 80 of the Mysore Minor Municipalities Regulation, 1933, should be embodied in the Village Panchayet Regulation. The present bill is prepared accordingly.

In consequence of the proposed amendment

of Sections 40 and 98 of the District Boards Regulation providing for the settlement of disputes between a District Board and a Village Panchayet, it is proposed to make a corresponding provision in Section 57 of the Village Panchayet Regulation by introducing the words "or between a District Board and a Panchayet" after the word "Districts" in line 3 of sub-section (2) of that section.

MM 9/11/35

C 9/11

A Bill further to amend the Mysore Village Panchayets' Regulation, 1926.

Preamble.

Whereas it is expedient further to amend the Mysore Village Panchayets Regulation, 1926; It is hereby enacted as follows:-

1. Between Sections 29 and 30 of the said Regulation, the following new section shall be inserted namely:-

Addition of new section as Section 29A.

Power of Government to prohibit the erection of buildings in certain areas without permission.

1. 29A-(1) Notwithstanding anything contained in Section 29, the Government may, in the public interest and after consulting the Village Panchayet concerned through the Deputy Commissioner of the District, prohibit by notification published in the official Gazette, the erection of any building within a specified area in a Village Panchayet ~~(adjacent to, but not included within the limits of, Bangalore and Mysore City Municipalities and other important municipalities to which this section might be made applicable),~~ except with permission granted by the Government or by such officer as may be empowered by the Government in this behalf.

Provided that such permission shall not be refused in the case of lands which have been set apart as a building site by the Government or the Village Panchayet prior to the publication of such notification.

(2) The grant of any permission under sub-section (1) may be subject to such conditions as may be fixed by the Government in each case or prescribed generally.

(3) Whoever erects any building contrary to the provisions of sub section (1) or the conditions imposed under sub sect

shall, on conviction, before a Magistrate, be punished with fine which may extend to two hundred rupees.

(4) The Government may demolish any building erected contrary to the provisions of sub-section (1) or in violation of the conditions imposed under sub-section (2).

Amendment of section 5(2)

2. In subsection (2) of Sec 57 of the said Regulation, the words "or between a District Board & a Panchayat" shall be inserted after the words "Districts".

STATEMENT OF OBJECTS AND REASONS.

There is no adequate provision at present either in the Village Panchayet Regulation or the Land Revenue Code to regulate the construction of buildings in rural areas adjacent to the municipal limits of cities and of important towns. Though under the provisions of section 29 of the Village Panchayet Regulation, the control over the erection of buildings vests to some extent in the Village Panchayets, experience has shown that these bodies do not always exercise discrimination in the matter of issuing licenses for building houses. This has resulted in large extents of agricultural land being unauthorisedly appropriated for building purposes and buildings have been constructed thereon in the neighbourhood of cities and towns without much regard to sanitary and other requirements. Further, the provisions of section 63 of the Land Revenue Code are insufficient for the purpose in as much as they cannot be enforced in the case of Inam lands.

With a view to remedy the above defect it is considered desirable that Government should take power to prohibit or regulate the construction of buildings in areas (including inam lands) adjoining cities and important towns but not included in the municipal limits and that a provision similar to that contained in section 116 of the Mysore City Municipalities Regulation, 1930, section 110 of the Mysore Town Municipalities Regulation, 1933 and section 80 of the Mysore

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Minor Municipalities Regulation 1933 should be embodied in the Village Panchayet Regulation also. The present bill is prepared accordingly.

In consequence of the proposed amendment of Section 40 (4) of the Dist. Boards Regulation providing for the settlement of disputes between a Dist. Board and a village Panchayet, it is proposed to make a corresponding provision in Sec 57 of the V. P. Regulation by introducing the words "or between a Dist. Board & a Panchayet" after the word "Dist. Board" in line 2 of sub-section (2) of that section

NOTIFICATION.

No. 1870—*L. C., Bangalore, dated 19th November* 1935.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Village Panchayet Regulation, II of 1926, is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

Bill further to amend the Mysore Village Panchayet Regulation, II of 1926.

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926: It is hereby enacted as follows:— Preamble.

1. After section 29 of the said Regulation, the following new section shall be inserted, namely:—

Addition of new Section as Section 29A. Power of Government to prohibit the erection of buildings in certain areas without permission.

29A. (1) Notwithstanding anything contained in section 29, the Government may, in the public interest and after consulting the Village Panchayet concerned, through the Deputy Commissioner of the District, prohibit by notification published in the Official Gazette, the erection of any building within a specified area in a Village Panchayet, except with permission granted by the Government or by such officer as may be empowered by the Government in this behalf.

Provided that such permission shall not be refused in the case of lands which have been set apart as building sites by the Government or the Village Panchayet prior to the publication of such notification.

(2) The grant of any permission under sub-section (1) may be subject to such conditions as may be fixed by the Government in each case or prescribed generally.

(3) Whoever erects any building contrary to the provisions of sub-section (1) or the conditions imposed under sub-section (2) shall, on conviction before a Magistrate, be punished with fine which may extend to two hundred rupees.

(4) The Government may demolish any building

erected contrary to the provisions of sub-section (1) or in violation of the conditions imposed under sub-section (2).

Amendment of Section 57 (2).

2. In sub-section (2) of Section 57 of the said Regulation, the words " or between a District Board and a Panchayet " shall be inserted after the word " Districts "

Statement of Objects and Reasons.

Under Section 29 of the Village Panchayet Regulation the permission of the Village Panchayet is required to the erection of any building in a Panchayet area although such permission cannot be refused except for the reason of the site being unsuited on sanitary grounds. Experience has shown that the Panchayets do not enforce this provision strictly or even acquiesce in its violation. One perceptible result of this has been that in Panchayet areas in the neighbourhood of cities and towns, near factories, by the side of important roads and in other localities which require special care, houses are being constructed in a haphazard manner and without due regard to sanitary requirements. The unchecked growth of such colonies is fraught with risk to the health of large sections of the population and impairs the value of improvements carried out at great expense.

It is therefore considered desirable that Government should take power to prohibit or regulate the construction of buildings in specified areas within the jurisdiction of a Panchayet and that a provision similar to that contained in Section 116 of the Mysore City Municipalities Regulation, 1933, Section 110 of the Mysore Town Municipalities Regulation, 1933 and Section 80 of the Mysore Minor Municipalities Regulation, 1933, should be embodied in the Village Panchayet Regulation. The present bill is prepared accordingly.

In consequence of the proposed amendment of Sections 40 and 98 of the District Boards Regulation providing for the settlement of disputes between a District Board and a Village Panchayet, it is proposed to make a corresponding provision in Section 57 of the Village Panchayet Regulation by introducing the words " or between a District Board and a Panchayet " after the word " Districts " in line 3 of sub-section (2) of that section.

Printed by the Superintendent at the Government Press Bangalore.

VP 52-34—1

No. C 4344
34-35

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Dated Bangalore, 15th April *1935.*

16 APR 1935

4629/2.

FROM

N. MADHAVA RAU, ESQ., B.A., B.L.,
Revenue Commissioner in Mysore.

To

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government
of His Highness the Maharaja of Mysore,
Development Department, Bangalore.

Control of construction of buildings on agricultural lands near Cities and important Towns.

SIR,

I have the honour to state that there is no adequate provision at present either in the Village Panchayet Regulation or the Land Revenue Code to regulate construction of buildings in rural areas adjacent to the Municipal limits of important towns and Cities. Large extents of agricultural land have been unauthorisedly appropriated for building purposes and buildings have been constructed thereon in the neighbourhood of such places without much regard to sanitary and other requirements. Though under the provisions of Section 29 of the Village Panchayet Regulation, the control over the erection of buildings vests to some extent in the Village Panchayets, experience has shown that the Village Panchayets do not exercise much discrimination in the matter of issuing licenses for building houses.

2. The provisions of Section 63 of the Land Revenue Code are also insufficient for the purpose in as much as they cannot be enforced in the case of Inam lands.

3. It appears to be desirable that Government should take power to prohibit or regulate the construction of buildings in areas (including inam lands) adjoining Cities and important Towns, but not included in the Municipal limits and that a provision similar to that contained in Section 110 of the Mysore Town Municipalities Regulation 1933, Section 80 Mysore Minor Municipalities Regulation of 1933.

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and Section 116 Mysore City Municipalities Regulation should be embodied in the Village Panchayets Regulation also.

I have the honour to be,

S i r,

Your most obedient servant,

Revenue Commissioner.

BR.

G. R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

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Section. Legis
File No. 59-35
Serial No. 1

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, the.....*191* .

Order No. P 4478 Leg I

Ordered that the accompanying Regulation further to amend the Mysore Village Panchayet Regn. 1926 which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No. IX of 1935, in the *Mysore Gazette* for general information.

Date of issue 10/1/36

Signed by C. S. Iyer

Secretary to Government.

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, ~~*Mysore Gazette*~~, for publication in Part ~~III~~ IV of the Gazette, in English and Kannada and for supply of —spare copies in English, and —spare copies in Kannada ~~to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore.~~ Proofs should be sent to this office for approval before publication.

Copy to Translation Section sent on 10/1/36

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PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

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Read:-

Order No. P 4478 Legis 58-35-1 /1

Dated Bangalore, the 9th January 1936.

Ordered that the accompanying Regulation further to amend the Mysore Village Panchayet Regulation 1926 which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No.IX of 1935, in the Mysore Gazette for general information.

for General Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copiesin English and spare copies in Kannada as per Standing Orders. Proofs should be sent to this office for approval before publication.

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NOTIFICATION.

Order No. P. 4478—Legis. 59-35-1, dated Bangalore, the 9—10th January 1936.

Ordered that the accompanying Regulation further to amend the Mysore Village Panchayet Regulation, 1926, which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No. IX of 1935, in the *Mysore Gazette* for general information.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION IX OF 1935.

(*Received the assent of His Highness the Maharaja on the 27th day of December 1935.*)

Regulation further to amend the Mysore Village Panchayet Regulation, II of 1926.

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows:— Preamble

1. After Section 29 of the said Regulation, the following new section shall be inserted, namely:— Addition of new section as Section 29A.

29A. (1) Notwithstanding anything contained in Section 29, the Government may, in the public interest and after consulting the Village Panchayet concerned, through the Deputy Commissioner of the District, prohibit by notification published in the Official Gazette, the erection of any building within a specified area in a Village Panchayet, except with permission granted by the Government or by such officer as may be empowered by the Government in this behalf. Power of Government to prohibit the erection of buildings in certain areas without permission.

Provided that such permission shall not be refused in the case of lands which have been set apart as building

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sites by the Government or the Village Panchayet prior to the publication of such notification.

(2) The grant of any permission under sub-section (1) may be subject to such conditions as may be fixed by the Government in each case or prescribed generally.

(3) Whoever erects any building contrary to the provisions of Sub-section (1) or the conditions imposed under Sub-section (2) shall, on conviction before a Magistrate, be punished with fine which may extend to two hundred rupees.

(4) The Government may demolish any building erected contrary to the provisions of Sub-section (1) or in violation of the conditions imposed under Sub-section (2).

Amendment of Section 57 (2)

2. In Sub-section (2) of Section 57 of the said Regulation, the words " or between a District Board and a Panchayet " shall be inserted after the word " districts."

MIRZA M. ISMAIL,
Dewan.

Price 0-0-3